



U.S. Department of Justice

United States Attorney
Southern District of New York

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86 Chambers Street, 3rd floor
New York, New York 10007

March 9, 2011

BY HAND

The Honorable William H. Pauley III
United States District Judge
United States District Courthouse
500 Pearl Street, Room 2210
New York, NY 10007

Re: *Habitat for Horses et al. v. Salazar et al.*,
10 Civ. 7684 (WHP)

Dear Judge Pauley:

This Office represents the Government, in the above-referenced action in which Plaintiffs brings a challenge under the Administrative Procedure Act ("APA"), 5 U.S.C. § 702, alleging violations by the Government of the Wild Free-Roaming Horses and Burros Act of 1971 (the "Wild Horses Act"), 16 U.S.C. § 1331 *et seq.*, the Information Quality Act ("IQA"), Pub. L. 106-554 § 515, the National Environmental Policy Act ("NEPA"), 42 U.S.C. § 4321 *et seq.*, the Federal Land Policy Management Act ("FLPMA"), 42 U.S.C. § 1701 *et seq.*, and the regulations promulgated there under. I am writing respectfully and with plaintiffs' consent to request: (1) a three-day extension, from March 14, 2011 to March 17, 2011, to file the Government's reply in support of its motion to dismiss and for partial summary judgment (the "Motion"), and (2) an adjournment of the oral argument on the Government's Motion, which is currently scheduled on April 15, 2011 at 3:00 p.m., to some date after May 5, 2011.

This is the Government's first request for an extension of time to file its reply brief, and the Government requests this three-day extension because of other filing deadlines in various cases handled by the undersigned counsel. This is also the Government's first request for an adjournment of the April 15 argument. The Government requests this adjournment because due to scheduling conflicts, counsel for the Government is no longer available on April 15, 2011. Plaintiffs' counsel is not available to attend any argument that is scheduled during the three week-period prior to April 15, 2011, and counsel for the Government will be out of the country from April 15 to May 1, 2011. Counsel for all parties are available at the Court's convenience to argue the Government's Motion on any date after May 5, 2011, other than May 13, 2011.

Application granted. The oral argument scheduled for April 15, 2011 is adjourned to May 24, 2011, at 5:00 p.m.

SO ORDERED:

3/16/11

WILLIAM H. PAULEY III U.S.D.J.

Hon. William H. Pauley III

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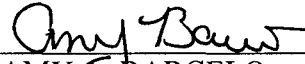
Thank you for your consideration of this matter.

Respectfully,

PREET BHARARA

United States Attorney

By:



AMY A. BARCELO

Assistant United States Attorney

86 Chambers Street, 3rd Floor

New York, New York 10007

Tel. (212) 637-6559

Fax (212) 637-2730

cc: Daniel P. Weick, Adrienne D. Gonzalez, Bruce A. Wagman, *counsel for Plaintiffs*
(by electronic mail)